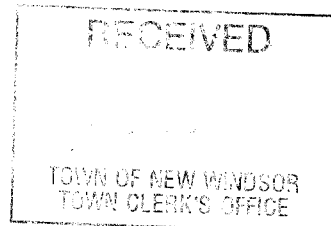




Town of New Windsor

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OFFICE OF THE PLANNING BOARD
WEDNESDAY — AUGUST 27, 2003 - 7:30 PM
TENTATIVE AGENDA



CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES DATED: JUNE 25, 2003

ANNUAL MOBILE HOME PARK REVIEW:

- a. MT. AIRY – RT. 207 (RICH PALTRIDGE)
- b. WINDSOR ENTERPRISES – CAESARS LANE

PUBLIC HEARINGS:

1. **PLYMPTON HOUSE SITE PLAN AND SPECIAL PERMIT (#02-23) 10 PLYMPTON STREET** – Proposed conversion of existing building to catering business with caretaker apartment.

REGULAR ITEMS:

2. **CORNWALL COMMONS SUBDIVISION (#00-06) RT. 9W (LANC & TULLY)**
Proposed 66-lot residential subdivision for single family homes.
3. **GUARDIAN SELF STORAGE SITE PLAN (03-24) WINDSOR HIGHWAY (DANIELS)**
Proposed two-story climate-controlled storage building.
4. **STELLA WAY SUBDIVISION (#03-08) SCHIAVONE ROAD (ADONI)** Proposed 3-lot residential subdivision for single-family homes.
5. **QUALITY HOMES / GARVEY LL CHG & SUBDIVISION (#03-20) RT. 207 (YANOSH)**
Proposed 5-lot residential subdivision.
6. **ELLA MAY HARRIS SUBDIVISION (03-25) DEAN HILL ROAD (YANOSH)**
Proposed two lot residential subdivision to divide two existing dwellings on single lot.
7. **FIRST COLUMBIA (02-200)** Minor subdivision approval and adopt SEQRA findings.

DISCUSSION:

8. **CHEVRON-GRETAG** – Two signs on one property.
9. **PLUM POINT (SUMMIT ON THE HUDSON)** – Proposed subdivision (from workshop) (Halberthal)

ADJOURNMENT

(NEXT MEETING – SEPTEMBER 10, 2003)

August 27, 2003

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TOWN OF NEW WINDSOR

PLANNING BOARD

AUGUST 27, 2003

MEMBERS PRESENT: JAMES PETRO, CHAIRMAN
JIM BRESNAN
RON LANDER
JERRY ARGENIO
THOMAS KARNAVEZOS

BOARD ALTERNATES: NEIL SCHLESINGER
ERIC MASON

ALSO PRESENT: MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

ANDREW KRIEGER, ESQ. (ARRIVING LATE)
PLANNING BOARD ATTORNEY

MYRA MASON
PLANNING BOARD SECRETARY

ABSENT: MICHAEL BABCOCK
BUILDING INSPECTOR

REGULAR MEETING

MR. PETRO: I'd like to call the August 27, 2003
meeting of the New Windsor Planning Board to order.
Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was
recited.)

APPROVAL OF MINUTES DATED JUNE 25, 2003

MR. PETRO: Everyone had a chance to read the minutes dated June 25, 2003? I'll take a motion to accept them.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board accept the minutes as written for this date.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

ANNUAL MOBILE HOME PARK REVIEW:

MT. AIRY - ROUTE 207

Mr. Rich Paltridge appeared before the board for this review.

MR. PETRO: Our building inspector is not here, he's on vacation so we'll do the best we can without him. Normally, I'd ask if anyone's inspected so I'm just going to refer to this and there seems to be no violations. A check for \$100 made out to Town of New Windsor.

MR. PALTRIDGE: Correct.

MR. PETRO: Any questions? If not, I'll take a motion for one year extension.

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant one year extension to the Mt. Airy Mobile Home Park. Is there any further discussion? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

WINDSOR ENTERPRISES - CAESARS LANE

Mr. John Lease appeared before the board for this review.

MR. PETRO: I have to excuse myself from this as I own 50% of the corporation. But being that, it is minor in nature, Mr. John Lease is here to represent it.

MR. LANDER: Where is this located?

MR. PETRO: It's down by Orange Boat Sales, it's 7 pads and according to the building department, there are no comments.

(Whereupon, Mr. Krieger entered the room.)

MR. PETRO: It notes grass near electric meters needs to be cut, grass cut, grass to be cut, so it's minor in nature, I'm sure that you can work it out with Mr. Babcock, get it straightened out with the fire department and you have a check for \$100 to the Town of New Windsor?

MR. LEASE: Yes.

MR. PETRO: Do any of the members have any comments on this application for one year extension? If not, I'll entertain a motion for approval.

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant one year extension on the Windsor Enterprises Mobile Home Park on Caesars Lane. No further discussion, roll call.

ROLL CALL

August 27, 2003

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MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	ABSTAIN

PUBLIC HEARINGS:

PLYMPTON HOUSE SITE PLAN AND SPECIAL PERMIT (#02-23)

Mr. Charles Brown appeared before the board for this proposal.

MR. PETRO: Proposed conversion of existing building to catering business with caretaker apartment, I believe this public hearing is for the special permit, right, Mark, for the caretaker's apartment?

MR. EDSALL: I would think since you're having the public hearing anyway, you can take comments on site plan and special permit.

MR. PETRO: We will, but just for the record, I believe they had gone to the zoning board where they had a public hearing, correct, so this is redundant to some people, but it's mandatory that we have a public hearing because of the special use permit, that's why you're here.

MR. EDSALL: Correct.

MR. PETRO: Why don't you bring us up to date with what you're doing?

MR. BROWN: Plan is the same as it was last time it was before the planning board. I don't know if there's anybody here in the audience for this project but there's an existing building, it's being converted to a catering facility where they're going to bring in food from other places and serve at functions on the premises.

MR. PETRO: It's a PI zone and the catering is not a use by right, special permit use in the zone. As such, the applicant was referred to the zoning board where you received your necessary variances, correct?

MR. BROWN: Correct.

MR. PETRO: Let's just open it right up to the public, we've seen it so many times I'm going to send him a Christmas card. On the 12th day of August, 2003, 48 addressed envelopes were mailed out containing notice of public hearing. If someone is here, would like to speak for or against the application, come forward, state your name and address and your concern. Anyone here that would like to speak? Let the minutes show no one is here to speak for the public hearing so I'll entertain a motion to close it.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing for the Plympton House site plan. At this time, the motion has been made and seconded. Roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: I'd reopen it back up to the board for further comment. We have fire approval on 7/7/2003 and that's it, that's what we have here. Any other planning board, Mark, do you have any other site plan comments? I mean, we've really gone over this a number of times.

MR. EDSALL: They have responded to all the comments and everything's resolved.

MR. PETRO: Motion for negative dec.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Mark, do you have any?

MR. EDSALL: You might not have when you sent it over to the ZBA so--

MR. PETRO: I'll take that back and I'll entertain motion for lead agency.

MR. ARGENIO: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Plympton House site plan. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: Entertain a motion for negative dec under the SEQRA process.

MR. ARGENIO: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the

New Windsor Planning Board declare a negative dec for the Plympton House site plan. Is there any further discussion? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. BROWN: I'd like to make one request being as it's late in the season and roughly 2/3 of the parking is associated with the tent, they don't plan on using that function as a condition of the approval, we can tie 25 spaces to the use of the building itself and then the balance of the parking to the use of the tent, this way, they could do 25 spaces, get the building operating for the Christmas season and put in the balance before spring.

MR. PETRO: What's required for the building?

MR. BROWN: Twenty-five, we have 67 total shown on the plan so 25 is for the building, maximum number of occupants in the building could be 75 and that was based upon the building inspector's letter.

MR. PETRO: Balance parking, is it paved? It's all paved, right?

MR. BROWN: Of the balance 42, were to be paved, the other were to be gravel.

MR. PETRO: Pave for the 25 you said?

MR. BROWN: No, we'll pave the balance prior to using the tent. In other words, the building is set for 75 occupants, the tent another 25.

MR. PETRO: Shows to be paved, correct?

MR. BROWN: All but 21 spaces, correct.

MR. PETRO: I'm speaking ahead of myself, even if it got that far, it would have to be bonded, you realize?

MR. BROWN: Yes.

MR. PETRO: How are we going to control that?

MR. EDSALL: We'll deal with it between Mike and I.

MR. PETRO: You'll make it part of your bond?

MR. EDSALL: Mike will probably split the building from the tent as far as giving them a Certificate of Compliance to operate and that way we can split it up. I'll work with Mike next week.

MR. PETRO: Any bond estimate will be submitted so we just went over that, you know you have to do that. And I'm going to say that we're done. Does any other member have any comments? If not, entertain a motion for final.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Plympton House site plan on 10 Plympton Street. Any further comments? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE

August 27, 2003

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MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

REGULAR ITEMS:

CORNWALL COMMONS SUBDIVISION (#00-06)

John Cappello, Esq. and Mr. Art Tully of Lanc & Tully appeared before the board for this proposal.

MR. PETRO: Proposed 66 lot residential subdivision for single family homes. This application was previously reviewed at the 22 March 2000, 24 April 2002, 14 May 2003, 9 July 2003, 23 July 2003 planning board meetings. Both Cornwall and New Windsor Planning Boards have adopted findings and concluded the SEQRA process. The application is returned seeking preliminary approval such that they can proceed with the preparation of application packages to various state and county agencies. That roadway that was going in, did you get that straightened out with the dedication to the town?

MR. CAPPELLO: We have a note there that it's to be dedicated to the Town of New Windsor and what the findings statement that you adopted does is it directs us to agree on the appropriate mechanism between preliminary and final approval because we may actually have to go through an annexation proceeding. But since we figured we're going to have a while to spend while we're getting DEC and all the various approvals, we'll take care of it at that point and get the highway superintendents together and the supervisors together to come up with the best mechanism. Right now, it's probably since there's nothing else involved except the road portion, it's not, shouldn't be that difficult to go through an annexation proceeding other than being a little time consuming. So we wanted to make sure we had the design accepted and so we can move forward and take care of that.

MR. PETRO: Mark makes a note that you're going to have to get together with the highway superintendent to

discuss storm water system layouts and applicant is reminded of the need to petition for the creation of a drainage district in support of the common drainage facilities in New Windsor, that would all come before, this would be conditional final approval, preliminary approval before final, you have a lot of work to do.

MR. CAPPELLO: Yeah, we have to go to all the various agencies so it will be a while.

MR. PETRO: We've seen this 1, 2, 3, 4, 5, 6 times, I know you've been to Cornwall.

MR. CAPPELLO: Yes, we have preliminary approval for the five commercial lots in the Town of Cornwall.

MR. PETRO: It was a positive dec also so you did--

MR. CAPPELLO: We went through the whole Environmental Impact Statement.

MR. PETRO: Mark, I know you don't, I just want to proceed and do a preliminary approval because I've seen it so many times. Does anybody have anything outstanding or something different they want to talk about? If not, I'll entertain a motion.

MR. ARGENIO: Motion for preliminary approval for Cornwall Commons major subdivision.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant preliminary approval to this Cornwall Commons major subdivision on Route 9W. Just a side note, this plan is under review from the municipal highway department, preliminary approval has been given. Mark, we don't have anything current on fire now? On 3/16/2000 he reviewed it, approved the conceptual project conceptually, however, he went on to

a number of things, I don't have much more current than that. Somewhere between preliminary and final, we can get that resolved, is that all right?

MR. EDSALL: The two issues the fire inspector had was number one, the loop access which this board required and is part of the plan now and number two, the water main layout and hydrant layouts which before they can go to the health department they have to submit to us, we'll make sure the fire inspector looks at it.

MR. PETRO: We have a motion that's been made and seconded. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

GUARDIAN SELF STORAGE SITE PLAN (#03-24)

Ms. Kari Redl Daniels appeared before the board for this proposal.

MR. PETRO: Climate controls, I know some delis that don't even have that. Application proposes construction of a new 53,600 climate controlled storage units at the location of the existing office building. Plan is reviewed on a concept basis only. You're split between C and NC zone zone lines. New building is completely within the NC zone so that would put it into a permitted use in the zone. Is that correct?

MR. EDSALL: Yes.

MR. LANDER: 53,600 square feet two floors?

MS. DANIELS: Also includes the full basement.

MR. PETRO: I'll stop talking and listen to you for a while.

MS. DANIELS: I'm Kari Redl Daniels. We are a local family-owned and operated business. I have Winston Schuck (phonetic), he's been, his background is 30 years of directing the Town of Poughkeepsie Planning Board. He's able to come in, help us out and review the plans and get it the right start.

MR. PETRO: You were on the planning board?

MR. SCHUCK: No, town planner. No one directs the planning board.

MS. DANIELS: I said that wrong. We currently own and operate four properties in Orange County, two being right in New Windsor. And the first one we established is this one. We're here to renovate this building and bring in what we call heated and cooled units,

temperature controlled. We offer air conditioning and heat to people in the storage buildings. We're finding that we're getting more and more phone calls for this type of need for heated and cooled units. We had a lot of traditional storage right now and right now, we're in the process of receiving a lot of pharmaceutical reps who need to put belongings in storage.

MR. PETRO: First thing I'm going to do is send the fire inspector, make sure you don't have beds in there, people living in there.

MR. ARGENIO: I have a friend who's a pharmaceutical rep who stores in those units.

MS. DANIELS: We have some temperature controlled units in the building, we'd like to renovate the building and bring it to what we consider our style building.

MR. PETRO: No kitchens.

MR. LANDER: How many units in the building?

MS. DANIELS: I have that on the plans because I have to deal with the parking, 306 units.

MR. SCHLESINGER: What's the present use of the building?

MS. DANIELS: Exactly what it will be now, it's office and temperature controlled units.

MR. SCHLESINGER: I'm trying to get a picture where this is.

MS. DANIELS: Right next to Duffer's Driving Range.

MR. SCHLESINGER: There's an existing building?

MR. SCHUCK: There's a small building which will be

removed and this will be replaced.

MR. SCHLESINGER: This is new construction?

MS. DANIELS: Yes, so we made an attempt.

MR. PETRO: I'm sorry, look on the plan, you'll see the existing building to be removed. Mark, 2 story, what's the height there, 35 feet permitted use in the NC zone, is that right?

MR. EDSALL: Yes.

MR. PETRO: You're going to be--

MR. EDSALL: 28'8" so they're well below.

MR. PETRO: How about to your side yards with the 28 feet you're not going to need a variance for the side yard there?

MR. SCHUCK: We think the side yard requirement is, we have 54 feet west, east we have 33 feet and change and so we have a total side yard of 86 foot 3 inches.

MR. PETRO: You're saying you don't need any variances.

MS. DANIELS: No variances. We need the room on the side of the building for our trucks.

MR. SCHUCK: Front yard is 43 foot required, we have 83.5.

MR. PETRO: Any elevations of this building here?

MS. DANIELS: I do, we're actually tweaking that though we're changing that look a little bit, so I didn't bring in a colored rendering. We're going to do a few more arches.

MR. PETRO: You realize that this building is going to be sprinklered?

MS. DANIELS: Yes.

MR. LANDER: What kind of construction is the building going to be made out of?

MS. DANIELS: Concrete and metal.

MR. ARGENIO: Pre-cast panels?

MS. DANIELS: Yes.

MR. PETRO: Mark, acceptable analysis of minimum parking, how did you come up with that?

MR. EDSALL: The parking calculation is correct. My only concern I think I noted after that was a couple of the spaces being immediately adjacent to some of the storage units but the calculation is correct.

MS. DANIELS: And I did the parking spaces next to the storage units because I prefer to do a large landscaping section in front of the building versus turning it into parking. So I thought I'd need your direction how you'd like me to handle that.

MR. PETRO: Mark, the loading zone on the south end, that doesn't constitute some form of a structure close to the property line? See, looks like a truck's backed into the loading zone.

MR. EDSALL: I think that's just a retaining wall.

MS. DANIELS: Retaining wall.

MR. EDSALL: Which we don't have setbacks for in the code.

MR. LANDER: Looks to me like it's going to tie into the existing driveway that's there now, going to be an island in between.

MR. SCHUCK: For the tractor trailers, yes, that will go into the existing storage.

MR. PETRO: Do we have anything from fire? First approved on 8/12/2003 along with highway 8/26/2003. The two foot cut along the north side of the property, south side of the property, how are you going to treat that? Is it just going to be bermed down, cut down or are you going to put a little retaining wall?

MR. SCHUCK: You've got about a 1 on 5 slope.

MR. PETRO: Next question, drainage, just what's your drainage plan, what do you have there? You have all that blacktop in the front.

MR. SCHUCK: Drainage, basically, if you look at the grading plan, the drainage will go to the existing catch basin.

MR. PETRO: It's going to flow to the back and tie into an existing drainage system you said including the roof gutters into the same system?

MS. DANIELS: Yes.

MR. PETRO: So you're going to be adding, what's the size of the building?

MR. SCHUCK: Well, the roof will be, it will be 17.

MR. PETRO: It's not all blacktop now?

MR. SCHUCK: No.

MR. PETRO: Did you do any studies if it can take such

a large increase in water?

MS. DANIELS: I've hired Lanc & Tully. Right now, they're working on the septic. I haven't asked them to do any testing on drainage.

MR. PETRO: Tie into the sewer here?

MS. DANIELS: No.

MR. PETRO: For any reason?

MS. DANIELS: Which side of the road is it on? Because right now, I have to tie into water.

MR. EDSALL: Sewer is, I think the sewer's on the opposite side. If they haven't tied in, I think they need to at this point.

MR. PETRO: I think you should probably tie into the sewer.

MS. DANIELS: How does it run with the water on the other side, how does that--

MR. PETRO: No, it would be a separate, could be an 8 inch line, 10 inch line, and you'd have to tie a lateral from your building into that main, you may need even to pump.

MR. EDSALL: There was a number of people on the far side of the road who had to put ejectors in but Lanc & Tully can figure that out for you. And we can also ask that they have the capacity of the detention basin evaluated to see if it needs to be enlarged.

MR. PETRO: Yeah because your, this is a good size, just the roof alone 18,000 feet of water coming off the roof.

MR. ARGENIO: How do you know there's a basin?

MR. EDSALL: There's a basin in the back now so worst case is they may have to expand it. The good news is they have someplace to take it.

MR. LANDER: I did some work there years ago when it first opened and there's a drainage basin in the back but there's a lot of water coming off the roof.

MR. PETRO: Look into it, I know you may have some impervious materials.

MR. SCHUCK: I have to meet the clean water requirements so the roof and all that is going to have to be treated.

MR. PETRO: Are you already tied into the water?

MS. DANIELS: No, I have to tie into water.

MR. PETRO: You're on a well right now?

MS. DANIELS: Yes and so I have to lock into either boring under the road or bringing water from Surinsky's.

MR. PETRO: How would you get it from Surinsky's?

MS. DANIELS: He's tied into water.

MR. PETRO: You can't use his water line, you have to tap into your own line, you can't go into somebody else's property.

MS. DANIELS: So I was hoping.

MR. PETRO: You might have to do two borings, I don't know what side the water's on.

MS. DANIELS: It's on the opposite side and I heard it was all rock underneath 32.

MR. ARGENIO: I would be shocked if that were the case.

MS. DANIELS: That's what someone said to me.

MR. ARGENIO: Anything's possible.

MR. PETRO: Look into it and see if the water has to be tied in. I can tell you you can't run them in the same hole, correct, Mark?

MR. EDSALL: You need the ten foot separation but you you might be able if the DOT lets you open cut, you might be able to have a ten foot wide trench, but it's doubtful.

MS. DANIELS: I know I need to bring a six inch line over.

MR. PETRO: Jerry and I are talking about the well, why would they have to tie into the water system?

MR. EDSALL: State law, if they're within for commercial 500 foot of a public water main, they have to.

MR. PETRO: Does that answer your question?

MR. ARGENIO: Thanks, Jim, that answers my question.

MR. EDSALL: Sewer is the same thing, I'm not sure if it's the same 500, it's a lesser separation for residential but for commercial, I think it's within 500 feet.

MR. ARGENIO: Can I digress just a bit on what would be the, I guess the south, no, it would be the southeast, southwest end of the building says new chain link fence

or southeast, I'm sorry?

MS. DANIELS: I see.

MR. ARGENIO: What's going on there? I don't understand.

MS. DANIELS: I think we're just tying in. There's a little tiny portion you have to--

MR. ARGENIO: From the chain link fence coming to the north, the loading dock is essentially, is totally blocked off.

MS. DANIELS: Absolutely.

MR. ARGENIO: Why? For what purpose? What does that do?

MS. DANIELS: I want to control my access into the back of the facility because I have customers back there.

MR. ARGENIO: What's going on in this area?

MS. DANIELS: Nothing, just grass, keeping people out. Everyone has a gate code to get in and out of the facility.

MR. ARGENIO: That's a grass area?

MS. DANIELS: Yes.

MR. PETRO: Conceptually, does anybody have any problems? No, right?

MR. KARNAVEZOS: No.

MR. PETRO: I guess a few points we brought up would be number one, the water, depict that on the plan, the drinking water, the sewer line, storm water, see if the

basin will take care of the flow. You should probably make a note that the roof drains will be tied into it. As far as lighting is concerned, what do you have for lighting, is there a lighting plan?

MS. DANIELS: Yes.

MR. PETRO: Mark, you reviewed the wall packs on the back of the building?

MR. SCHUCK: Sides, there's two freestanding in the front by the parking lot toward the building, there's a couple of down lit on each corner of the building.

MS. DANIELS: Also parking lot lighting.

MR. PETRO: The landscaping in the front of the building, can you go over that a little bit? I see you have some stuff there.

MR. SCHUCK: Basically, it's mostly low junipers, there's some forsythia and there's some lilac and some day lilies. The concern is to keep low enough so that they're not going to have a problem with the traffic on the corners. Also, the green, we've got 80 foot of green area between the pavement and the parking.

MR. PETRO: That curb cut's existing, correct, you're not changing anything about that?

MS. DANIELS: That's existing.

MR. PETRO: You're not touching that?

MS. DANIELS: Right.

MR. LANDER: Is there concrete curbs there now?

MS. DANIELS: Yes.

MR. SCHUCK: We'd rather not touch them.

MR. PETRO: It's a lot easier if you don't.

MR. LANDER: How wide is the sidewalk in the front?

MS. DANIELS: Five feet.

MR. LANDER: Bumper blocks in the front when they pull up so that we don't, so we maintain the handicapped accessibility across the sidewalk.

MS. DANIELS: There's a curb, the loading dock area is actually a ramp.

MR. LANDER: No, a five foot sidewalk when a car overhangs the sidewalk it's about two foot six inches that you lose so we're going to have to make the sidewalk a little wider to keep the 40 inch for the handicapped.

MR. SCHLESINGER: How many HVAC units are you going to have?

MS. DANIELS: That's a great question. I don't know. I haven't worked with the HVAC company yet to determine what I need.

MR. SCHLESINGER: You're going to be heating and cooling a lot of units.

MS. DANIELS: Yes.

MR. SCHLESINGER: So if you're going to have, you're not going to have a separate unit for every rental, you're going to have some substantially large units.

MS. DANIELS: Yes, I don't remember.

MR. SCHLESINGER: Where are you going to mount them?

MR. LANDER: On the roof, in the back?

MR. SCHLESINGER: There's noise involved and you're not going to want them sticking out like a sore thumb and everything.

MS. DANIELS: Okay.

MR. SCHUCK: Show how we're going to obscure those.

MR. SCHLESINGER: How and where.

MR. PETRO: Did you get a copy of Mark's comment?

MS. DANIELS: Yes.

MR. EDSALL: Jim, I have two issues I need some guidance from the board on the lighting and they do in fact show you where the lighting is proposed and provide a detail, do you want lighting information, isolux curves or just location adequate on this one?

MR. LANDER: Pleasant Acres is next door, Duffers is across next door to that and across the street is a small strip mall.

MR. EDSALL: They're only using 400 watt lighting fixtures so it's not as if they're overlighting from what I can tell.

MR. PETRO: I don't think we need the curves.

MR. EDSALL: Second issue is the parking, you need to tell me if parking or the required parking spaces being set as is shown on S-2 along the units is acceptable. And secondly, the front loading zone is being shared as a loading zone and apparently three parking spaces, normally, I don't allow either because you're obstructing access to the buildings and I don't know

that the fire inspector's office is going to go along with that anyway and secondly, if the front area's really going to be used as a loading zone, you don't want to have them dual use.

MR. PETRO: We have fire approval on 8/12/2003, so he didn't have a problem with it.

MR. EDSALL: He may not have seen it, to be honest with you. Let me just ask a question, where the cars are parked, is that in an area where there's doors to get into units?

MS. DANIELS: In some we put the parking there in some cases probably yes and in some cases no, probably mixed, most people pull up and park in front of units. We have such a low traffic flow, it's not the type of business where it's like a supermarket where there's constantly people in and out the loading zone, we have a lot of first time users in the truck rental business so we try to make it easy for people to bring their vehicles in and they're tired because they're moving.

MR. ARGENIO: If somebody's unloading or loading the car, they're parked there?

MR. EDSALL: Exactly, so we may not want to call it a loading and unloading zone, just make it parking spaces.

MR. SCHLESINGER: There are units that are not going to be accessible by parking in front of the unit, is that correct, interior as well as exterior? When I say exterior, I mean access from the outside and probably going to be units inside where people don't have access to open up the door, take things out of the car and put them right in the unit.

MS. DANIELS: I'm sure I could probably do some slanted parking over here, if you wanted to, I show the parking

here because I really wanted to get away from taking up my landscaping showing parking in the front, so that was, my architect said the same thing to me. My goal was keep the landscaping along Route 32. I just think it makes a better presentation for my customers, that's why we put the parking in the back. I can look at moving it someplace else, I'd have to take away some grass area here or I could remove, maybe bring the landscaping back to a minimal amount.

MR. EDSALL: Why don't we look at some other locations at the workshop? I think I've got some ideas and we might be able to distribute them around the rear area rather than trying to put them all in the front. But my concern is that as knowing the fire inspector's thought process, if there's a unit that has for some reason the need for emergency access into it and vehicles are parked square in front of it, that creates a problem, so maybe look at moving them to the perimeter or someplace else.

MS. DANIELS: Okay.

MR. KARNAVEZOS: Talking about the main building or talking about the units in the back?

MR. EDSALL: Talking about the ones in the back parallel parked against the units in the back.

MR. KARNAVEZOS: Because most of the storage units basically that's that I've seen that's what they do, they'll pull up right alongside their unit, take their stuff out and they leave, they're not allowed to leave anything in front of the unit, their cars have to--you have storage for like RVs and stuff like that or no?

MS. DANIELS: We do, we have very little.

MR. PETRO: It's like a 15 minute parking.

MR. KARNAVEZOS: Right.

MR. EDSALL: That's anticipated on the entire site, these are just mandatory required parking, be it for somebody who's coming over to help somebody else unload and leave their car parked, employees, whatever else but anybody coming to the unit is not going to park all the way in the back and carry stuff. These are actual parking spaces.

MR. PETRO: Motion for lead agency.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Guardian Self Storage site plan amendment on Windsor Highway. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: Planning board should determine for the record if a public hearing will be required for this site plan as per discretionary judgment, I think he can do enough housekeeping on the plan to have it ready for a public hearing and as far as the water and sewer is resolved at that time really not that important but at least the gist of the plan looks pretty ready to go. Anybody have any comments?

MR. KARNAVEZOS: No.

MR. ARGENIO: No.

MR. PETRO: No comments or no you don't agree?

MR. ARGENIO: No, I agree with you.

MR. PETRO: I think for your sake and you have a lot of time we'll have a public hearing, it's better to have it, it's over with, you may have nobody, it's not going to hurt you at all, have it and you have it forever and that's it. I think it's like Mr. Lander just said it's a large building, everybody is going to see. Motion to have a public hearing.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board have a public hearing for the, schedule a public hearing for the Guardian Self Storage amendment. Is there any further discussion? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: If you can tend to some of the comments that you made, you know the drill, you can probably read it to me, get it set up.

MR. SCHUCK: Who advertises, you or us?

MR. PETRO: Call Myra, 563-4615 and she'll give you all

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the information for the public hearing, get the list and you'll be on your way. We have a meeting every two weeks so if you're ready, you'll be on the agenda.

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STELLA WAY SUBDIVISION (#03-08)

No show.

QUALITY HOMES/GARVEY LOT LINE CHANGE AND SUBDIVISION
(#03-20)

Mr. Daniel Yanosh and Mr. Lou Tedaldi appeared before the board for this proposal.

MR. PETRO: Proposes subdivision of 18 acre parcel into 5 single family residential lots as well as a lot line change with the adjoining lands of Garvey. Plan was previously reviewed at the 23 July 2000 planning board meeting. Applicant did not show up to the meeting so I guess we didn't review it. R-1 zone, all requirements are correct, the planning board may wish to authorize lead agency ordination letter.

MR. LANDER: Mr. Yanosh, what's the nearest intersection to this?

MR. TEDALDI: Directly across the street from the Rock Tavern post office.

MR. ARGENIO: Out near where that entrance pylon is?

MR. YANOSH: Right. I was in the Village of Florida, you guys were gone too early, but I did show up. We've got proposed subdivision of five lots along the south side of 207. Also included is the fact of Mr. Garvey who lives on here on Twin Arch Road, for some unknown reason, he owned this little strip of property that went to the middle, whether it was cut out for the railroad nobody knows why, part of the deed, so we want to square that off in the back, this side of the railroad tracks he does have a right-of-way to go across the lands of Congelosi so we'll have a nice area, it's about the same acreage swapped back and forth. We submitted plans to the DOT, we met with them out there in the field. Mr. Burns, he's pretty happy with us so far, the maps are in Poughkeepsie being reviewed.

MR. PETRO: All the driveways are coming off 207?

MR. YANOSH: Right, two single ones for lots 3 and 4, the driveways are coming out on the same entrance.

MR. TEDALDI: Three and four is a common driveway.

MR. LANDER: How is the sight distance on 3 and 4 common driveway?

MR. TEDALDI: Actually, I was out there with Rich Burns myself and he had no problem with it.

MR. PETRO: Fire approval on 8/25/2003. Mark, you reviewed it, I guess all the separations are proper, the well and septic designs, the size of the lots, he's got the envelope, looks like everything fits inside the envelopes.

MR. LANDER: One lot is 6 acres you said?

MR. YANOSH: Yes, lot number 5 is 6.11 acres.

MR. LANDER: Why is that, lot of that wetlands?

MR. YANOSH: It's a big rock, it's a nice pretty lot if you want could go up to the top but limited access off the road because of the steepness.

MR. PETRO: The common driveway that we have on lot 4 and 5 or 3 and 4, is there something we can do with that?

MR. EDSALL: It's actually not a common drive, it's two driveways that are accessing parallel to each other separated by a couple feet. If it was a common driveway, it would constitute a private road which would be a problem so how Dan has shown it is fine.

MR. PETRO: When you blacktop, you're going to leave

the three or four feet in between them? They don't join together, do they?

MR. YANOSH: The entrance is going to be a little common entrance at the end.

MR. PETRO: Then it's going to split.

MR. EDSALL: So the pavement within the state right-of-way would be one unit but then it will split on the property line.

MR. ARGENIO: So you have to apply to the state to get a work permit to work in the right-of-way, is that right?

MR. YANOSH: True.

MR. ARGENIO: One permit or multiple permits?

MR. YANOSH: One for each lot.

MR. TEDALDI: I think he wants a permit for each lot.

MR. PETRO: Motion to authorize lead agency coordination letter for Quality Home Builders/Garvey.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: Planning board should consider authorizing

mandatory public hearing for this major subdivision. It's mandatory, so why consider it? Can I have a motion to have it?

MR. ARGENIO: Make a motion to have it.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board have a public hearing for the Quality Homes major subdivision with lands of Garvey. Is there any further discussion? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: We need to get these plans off to the DOT for formal comment and approval, any work within the DOT right-of-way would require a work permit, you know that, and I think that's it. Thank you.

ELLA MAY HARRIS SUBDIVISION (#03-25)

Mr. Daniel Yanosh and Mr. Michael Harris appeared before the board for this proposal.

MR. PETRO: Residential subdivision to divide two existing dwellings on a single lot. Making a situation better.

MR. YANOSH: We have two existing houses on a single lot, the house has been in existence for 40 years, we have a right-of-way that comes down, common drive that comes through here that services the house in the back.

MR. PETRO: Explain to me how you're going to do this without a variance? You're creating a non-conforming lot.

MR. EDSALL: You need a variance.

MR. PETRO: Okay, that explains it then. Simple, very simple.

MR. EDSALL: You're way ahead of us.

MR. PETRO: All right, the application requires several variances from the ZBA, how are you going to access the second lot?

MR. YANOSH: We have a driveway that goes down through here that comes into an existing driveway and one of Mark's comments I guess it's note number 2 about the existing private road we'll have to get some documentation as to the access and give that to the zoning board.

MR. PETRO: Once you create the line, if it's not done properly is what he's saying he may not have access, the drive is only 354 feet.

MR. YANOSH: Yes, that's the depth of the property, so you have a good 300, driveway itself is 325.

MR. ARGENIO: The gravel and dirt drive serves how many homes?

MR. PETRO: Two.

MR. ARGENIO: Only these 2 but it's shown to continue.

MR. EDSALL: It serves several properties, too, doesn't it?

MR. HARRIS: It really just services the one, lot 1 is actually on Riley Road, there's a driveway on Riley Road, that driveway is part of some Pennsylvania Railroad something and my father has a suit with the neighbors to determine who owned it and they decided they owned it, basically, they awarded him use of the road.

MR. ARGENIO: So that doesn't go anywhere?

MR. EDSALL: Which?

MR. HARRIS: The only thing back there is lot number 2, the road from, coming right off Dean Hill Road goes back and services lot number 2.

MR. EDSALL: What's Erie property?

MR. HARRIS: That's, basically, there used to be a railroad track and there's like nothing, I think they took up the track, there's nothing.

MR. PETRO: Can you give us some sort of documentation so Andy can review it and just so we know that you have access over that road, otherwise we're creating a lot with--

MR. HARRIS: In terms of documentation, there was a court decision, I had to, everybody died that was associated with the case, I had to basically dig it up out of the grave to find it but--

MR. PETRO: You had nothing to do with that, right?

MR. HARRIS: It was a really terrible experience, people knew there was a hearing but nobody could find it, but I do have that documentation.

MR. KARNAVEZOS: This gravel and dirt drive, is that on these two pieces of property?

MR. YANOSH: No, it's on this property here.

MR. KARNAVEZOS: It's on Fitzpatrick's property?

MR. YANOSH: Right.

MR. HARRIS: Half and half, according to the court decision, one half actually belongs to my father to what's now the two joint properties, one half of the road was awarded to him, the other to the other and the court indicated we both had a right to use it because it used to belong to the Erie Railroad and when they divided it up, there was some common law that says that when it's sort of receded back to whoever the previous owner used to be, so effectively, he got a legal title to one half of it but the right to use the whole road.

MR. LANDER: Is that recent their decision?

MR. HARRIS: No, that decision was probably maybe 15 years ago would be my guess.

MR. PETRO: Mark, we're creating a lot that has no frontage.

MR. EDSALL: Yeah, if it's a private road, if we can

deem it a private road, we can count the frontage on it but Mr. Schlesinger just brought up a good point, there's a utility pole on lot 1 that serves lot 2 so Dan, you should really create an easement through there and you need to get a variance anyway so just subtract the area out as an easement, so lot 1 is going to get a little smaller in number but you might as well get the right variance.

MR. ARGENIO: Make a motion for final approval for Ella May Harris minor subdivision on Riley Road.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Ella May Harris minor subdivision on Riley Road. Is there any further discussion? If not, roll call.

ROLL CALL

MR. LANDER	NO
MR. BRESNAN	NO
MR. KARNAVEZOS	NO
MR. ARGENIO	NO
MR. PETRO	NO

MR. PETRO: At this time, you have been referred to the New Windsor ZBA for your necessary variances. If you're successful in receiving those variances, you can then again appear before this board. Make sure you get documentation for the road first.

FIRST COLUMBIA

Mr. Chris Bette appeared before the board for this proposal.

MR. PETRO: The purpose of this meeting appearance is to adopt a Findings Statement under SEQRA and to consider final approval of the subdivision. Mark, do you want to just bring us up to date with this?

MR. EDSALL: The last action the board took was on July 23 at which time you adopted the or accepted the FEIS and caused a circulation of the document. The last step in SEQRA for this action is to adopt a Findings Statement which effectively is the conclusion and explains what you considered and what your conclusions were. Attached to the comments is a resolution issuing a Findings Statement, it's quite long, I worked with the applicant, basically Chris and his attorney in getting this put together. I believe it's in good final form and this is basically what you need to adopt to conclude this process before you can proceed with the review of any other applications, including the subdivision that's before you.

MR. PETRO: So it's a resolution issuing a Findings Statement pursuant to SEQRA dated August 27, 2003, it's approximately--

MR. EDSALL: Twenty-four pages long and again, it's New York International Plaza, and that's the document that we're going to accept a Findings Statement that we're going to accept and I would take a motion to that effect.

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the

New Windsor Planning Board adopt the Findings Statement attached to this copy here that I just explained for First Columbia New York International Plaza Parcel H subdivision. No, it's not Parcel H subdivision, is it?

MR. EDSALL: Well, the application is the Parcel H subdivision but the environmental review as you know encompassed not only Parcel H it encompassed the entire New York International Plaza and its development.

MR. PETRO: That's what I wanted to say. Okay, we have a motion that's been seconded. Any further discussion? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. EDSALL: Now that the environmental review is concluded, obviously, the proper circulations will be made, but I believe you're in a position at this point to move forward on the original application that was brought forth which is a minor two lot subdivision which is the Parcel H subdivision. That's the cause of this entire process and what my recommendation is that you approve it subject to a final review by myself and Henry.

MR. PETRO: Okay, motion to that effect?

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the

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Parcel H subdivision subject to the Highway Superintendent and Mr. Edsall signing off on it. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

DISCUSSION:

CHEVRON-GRETAG - TWO SIGNS ON ONE PROPERTY

Mr. Joe Valentine appeared before the board for this proposal.

MR. EDSALL: We had talked with the building inspector and but we wanted to, we're of the same mind that we didn't have a problem with it, but we felt it would be nice to come to the board and fill in the members of the board and just get it on record exactly what you're doing and go from there.

MR. VALENTINE: Gretag has a sign off on one end of the easterly end of the property and we're proposing to put one on the westerly side by the other entrance so it's a fairly innocuous sign, five feet by four feet.

MR. PETRO: What size is your property?

MR. VALENTINE: Oh gosh, it's like 380 feet between signs so it's well over 400 feet.

MR. PETRO: The way the law is written you can only have one sign per parcel but their parcel's 380 feet in between, you know, it's huge, so obviously, if it was subdivided, it would be a non-issue, so they don't want to subdivide so but I don't think that the law necessarily, I don't want to read into the minds of what the people making the law were thinking but had this in mind when they had made the law.

MR. ARGENIO: This require any special action?

MR. EDSALL: No, we actually did anticipate if a site has two main vehicular entrances, the planning board may approve at its discretion one additional freestanding sign at the second entrance but in no case shall the signs be spaced closer than 300 feet.

MR. PETRO: Again, do we need any action?

MR. PETRO: No, we can have a motion to approve the second sign.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant a second sign on the same parcel to the Chevron-Gretag Company. Is there any further discussion? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. EDSALL: Just for the minutes so that it's clear it's 4818-H-(A)(4). I knew it was in there.

MR. PETRO: Thank you.

PLUM POINT (SUMMIT ON THE HUDSON) - PROPOSED
SUBDIVISION

John Cappello, Esq. and Mr. Halberthal appeared before the board for this proposal.

MR. CAPPELLO: What we really wanted to do tonight is just give you an indication of where we're heading with this cause there's a history to this application. Back in 1976, Plum Point was an approved site plan approval it was for 300 plus units. Just prior to that, there was a restrictive covenant filed limiting it to 342 units requiring the dedication of approximately 21 acres I believe of land for recreation space. It also required one of the existing buildings be converted to recreational. There was also in this area, this is not in a 1976 map, not a note, just written across the words "parkland". In 1983, there was an amended site plan for Plum Point, the 21 acres were dedicated to the Town of New Windsor for recreation. There was an amended plan with 255 units. There was a separate recreation building built, not the building that was discussed in the restrictive covenants and no note on Section 6 or no, I don't want to call it a note because notes usually have significance or wording written across Section 6. In 1999, when Section 5 and Section 6 were in for approval, the issue of the conversion of the recreation building came out, came up. The applicant at that time negotiated with the Town and there was a document signed by the Town and the applicant terminating the 1976 restrictive covenants recognizing that there had been a plan, recognizing that there had been a payment of recreation fees and a building of this building and relieving the duties of that restrictive covenant.

MR. PETRO: Just so I'm clear, I mean, the bottom line here is you want to put condos where the parkland is?

MR. CAPPELLO: We don't know yet, we don't want to say

we want to put condos there. In 2000, Section 5 and Section 6 were approved, an amended site plan very similar to what was approved in '83 but a little bit of a different configuration showing 35 units, 35 units in Section 5, 5 in Section 6. Section 6 as shown on the map once again no notes, no discussion of the park, Section 6 is shown on the map is actually 2 tax maps, we don't know exactly the reason why it was 2 tax maps but the applicant has been receiving two separate tax bills, one for one tax lot showing the 55 units approved and being assessed for 55 units, the other one as a separate parcel, they're all for whatever reason in two separate school districts, I believe one is in Newburgh.

MR. PETRO: Where is the big building, the original building that was there?

MR. CAPPELLO: Section 4.

MR. PETRO: No, it's where, near where you're talking about right now? I'm just trying to figure out where the land is in my mind.

MR. KARNAVEZOS: Southeast of that building.

MR. EDSALL: Yeah.

MR. CAPPELLO: So what we're here now for and what we propose is a simple subdivision. Since there's 2 tax lots but for zoning purposes, they still exist as one lot, all we're looking to do is to split lot 2 which would be the 55 units which we'll eventually show the 55 units laid out there on 8.9 acres and then cut off what is the other tax lot as a separate lot for 7.07 acres for potential development at some future time. The applicant doesn't have any intention at this time of developing or doing anything with this but we just want to clarify that the 55 units are on these acres.

MR. PETRO: It's already two separate tax parcels the same description you're going to use?

MR. CAPPELLO: Yes, we intend to follow that line.

MR. PETRO: Exact same description as the 2 tax parcels?

MR. CAPPELLO: I believe so, yes.

MR. PETRO: What's your purpose for doing this?

MR. CAPPELLO: To subdivide, clarify that the 55 units are approved for lot 2 on the 8.18 acres and potentially selling off or using it but making this a legally separate parcel that could be transferred, could possibly develop it as a separate accessway.

MR. PETRO: What's on the 7 acres that's left, is it something that would be abandoned?

MR. CAPPELLO: No, nothing is.

MR. PETRO: In other words, if that was all wetlands, the first thing that comes to any mind once you had the 5, your parcel with the 55 units on, I would say the hell with that, let somebody, the County take it.

MR. CAPPELLO: There's buildable portions.

MR. PETRO: It has value so you wouldn't give it away?

MR. CAPPELLO: Yes, but we can show it as buildable portions, too, I think it's on the Hudson River so it has value and the intent is that if the applicant, somebody would come in under the zoning would have to go through site plan approval and the whole procedures with the board.

MR. PETRO: How big is the five houses, how big is that

parcel?

MR. CAPPELLO: 8.19 acres.

MR. PETRO: So it's 8 and 7, approximately?

MR. CAPPELLO: Yes.

MR. PETRO: How much of the 8 acre parcel had that writing up there that was not supposed to be a note that said parklands?

MR. CAPPELLO: It's hard to tell, I saw the '76 map at a work session for about a minute and a half, but it's just words and I think it's over in the words near this area but it doesn't, it's hard to indicate, there's no arrows, there's no note that says parcel X, usually when you do that, you file a restriction with it or you do something.

MR. PETRO: And the 7 acre parcel so between the two of them that's where it was?

MR. CAPPELLO: Yeah, I think it was in this area, I'm not sure if it would have touched the 8.1, if you look at the writing, probably, I don't know.

MR. PETRO: It's almost a moot point, you have 55 units going there that's already approved.

MR. CAPPELLO: Yes and like I said, there was an amendment in 1983 which doesn't show the note and another map shown.

MR. PETRO: Are they built the 55 units?

MR. CAPPELLO: No.

MR. PETRO: Not even started?

MR. CAPPELLO: No, they're approved, Section 5 is built and I believe there's plans to fairly in the near future to do the 55.

MR. LANDER: Was it 55 and 35?

MR. CAPPELLO: Thirty-six, yeah, that's not part of this Section 6, that was Section 5, I mean, there's 25 altogether, 205 altogether on all 6 phases.

MR. PETRO: I see what you want to do but I want to think about it and maybe the board needs to digest it, I don't know the pros and cons to it, I just want to digest it some more. I want to talk to the Supervisor, I want to talk to Mr. Krieger, talk to Mark Edsall and any of the members that have any clues.

MR. CAPPELLO: Questions come up, if you want to meet.

MR. PETRO: I don't, offhand, real quickly, frankly, I don't really see a major problem with it, follow the tax map line, the 55 units are already approved. My concern would be with the remaining lands to find out what the Town has if it was part of a parkland what their intention is to do with it if there's, I don't know if there's a problem or not, I want to find out and digest it.

MR. CAPPELLO: Understand and we're, I'm finding out more every day so--

MR. PETRO: Can you leave me that plan?

MR. CAPPELLO: Yes.

MR. EDSALL: John, you were able to confirm that the line, the tax line for the lots that exist now is also coincident with a school district line?

MR. CAPPELLO: According to the 2001, this is my only

copy, but it says and this was, you know, signed and stamp but it does show that as the two, separate tax lots.

MR. EDSALL: My gut feeling that the line was not created by a planning board act but was created by the tax map department because of the existence of the district line so they had to create 2 tax lots so they could build them separately because of the two school districts so I think they're absolutely correct and the reason that they're here is to have it created as a legal subdivision.

MR. PETRO: I don't necessarily see anything wrong with it.

MR. EDSALL: At least we understand where the line came from.

MR. CAPPELLO: We'll get copies of that.

MR. PETRO: That line is also the school district line for Newburgh and Cornwall, that's interesting, it's also the tax map line and they want to make it their boundary line.

MR. EDSALL: Correct.

MR. PETRO: And in reality we're not even discussing whether that land can be used for condos or not, it's not really part of the conversation.

MR. CAPPELLO: We would intend to put a note that says any development of the land would require site plan approval from the Town of New Windsor and whatever was proposed for that would have to meet the R-5 zoning.

MR. PETRO: If we can get that far, I don't know that that's the fact because if it's a parkland then that

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note would be no good. In other words, we can't put that you can't come to the planning board, it's a parkland.

MR. CAPPELLO: Yeah, if it was but--

MR. PETRO: Right now we're not even to that point, we're just talking about creating this subdivision the way you want it and again, I don't think there's really a problem with that, but I want to make sure as far as going further or any other notes that remains to be seen.

MR. CAPPELLO: That's fine.

MR. PETRO: Thank you. Motion to adjourn?


MR. ARGENIO: So moved.

MR. LANDER: Second it.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

Respectfully Submitted By:


Frances Roth
Stenographer
9/3/03